

Notice of Allowability

Application No.

09/625,228

Examiner

Khoa Tran

Applicant(s)

CAPLAN ET AL.

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to 5/03/04.
2. ☒ The allowed claim(s) is/are 15-21,23,37-45,50 and 52-58.
3. ☐ The drawings filed on _____ are accepted by the Examiner.
4. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) ☐ All b) ☐ Some* c) ☐ None of the:
 1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

5. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
 6. ☒ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
 - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
 - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
 - (b) ☒ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date 5/06/03.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
7. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

1. ☐ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☒ Information Disclosure Statements (PTO-1449 or PTO/SB/08),
Paper No./Mail Date 1/02/04 & 3/04/04
4. ☐ Examiner's Comment Regarding Requirement for Deposit
of Biological Material
5. ☐ Notice of Informal Patent Application (PTO-152)
6. ☐ Interview Summary (PTO-413),
Paper No./Mail Date _____.
7. ☐ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☐ Other _____.

Allowance

The following is an examiner's statement of reasons for allowance:

Claims 15-21, 23, 37-45, 50, and 52-58 are allowed over the prior art of record because there is no prior art of record that teaches or suggests a holder creates a continuous loop possessing the entire combination of features specified by the claim. In particular, there is no teaching from the prior art of a first holder-engaging mechanism extending out from the base with a slot located adjacent thereto, and a second holder-engaging mechanism extending out from the base having a distal end, which the distal end is shaped in order to receive in the slot of an adjacent holder, and wherein the first holder-engaging mechanism on the holder is disposed to matingly interlock with a second holder-engaging mechanism on a second holder, and the second holder-engaging mechanism on the holder is disposed to matingly interlock with a first holder engaging mechanism on a third holder to form the loop, and wherein the distal end of the second holder-engaging mechanism of the second holder can pass through the slot located adjacent to the first holder-engaging mechanism of the holder to which the second holder-engaging mechanism is inserted to allow the second holder to spread apart from the holder. See claim 15, lines 5-15.

Further, there is no teaching from the prior art of the male coupling mechanism extending from the base with a slot located through the base and adjacent to the male coupling mechanism, the female coupling mechanism extending from the base having a distal end, which distal end is shaped in order to receive in the slot of an adjacent holder, and wherein the distal end of the female coupling mechanism can pass through

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the slot located adjacent to the male holder-engaging mechanism of an adjacent holder to which the female coupling mechanism is inserted to allow the holder and another holder to spread apart in relation to each other. See claims 37, lines 11-16, claim 50, lines 15-21, claim 52, lines 9-15, claim 55, lines 11-17, and claims 56, 57, and 58, lines 12-18.

Any comments considered necessary by applicants must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Khoa Tran whose telephone number is (703) 306-3437. The examiner can normally be reached on Monday through Thursday from 9:30 A.M. to 7:00 P.M.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Leslie Braun, can be reached on (703) 308-2156. The fax phone number for this Group before a final Office action is (703) 872-9306 and after a final Office action is (703) 872-9327.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the Group receptionist whose telephone number is (703) 308-2168.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



Khoa Tran

May 07, 2004



LESLIE A. BRAUN
SUPERVISORY PATENT EXAMINER